



ENTERED  
08/13/2009

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

IN RE: §  
ENERGY PARTNERS, LTD., *ET AL.*,<sup>1</sup> § CASE NO: 09-32957  
§ (Chapter 11)  
§ (Jointly Administered)  
DEBTORS. §

**AGREED ORDER GRANTING RELIEF FROM THE AUTOMATIC STAY**

[Related to Dkt. No. 331]

The Court has considered the *Agreed Motion for Relief from the Automatic Stay* (the “Motion”)<sup>2</sup>, filed by Michael Robichaux (“Robichaux” or the “Movant”). The Court finds that (a) it has jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334; (b) this is a core proceeding pursuant to 28 U.S.C. § 157(b)(2)(A) and (G); and (c) due and adequate notice of this Motion has been given under the circumstances. Therefore, it is hereby

**ORDERED** that the Motion is **GRANTED** to the extent set forth herein. It is further

**ORDERED** that the automatic stay imposed by 11 U.S.C. § 362 is hereby modified solely to permit the civil lawsuit styled *Michael Robichaux, Plaintiff, vs. Energy Partners Ltd.; d/b/a Delaware Energy Partners, Ltd; Energy Partners of Delaware Ltd.; C-Lift, L.L.C.; Chouest Offshore Services, LLC’s and Electric Wireline Consultants, Inc., Defendants* (the “Suit”), currently pending in the United States District Court for the Southern District of Texas, Houston Division, Civil Action No. H-08-2519, to continue to final judgment. It is further

**ORDERED** that, to the extent of any final judgment or settlement, Movant is hereby authorized to recover on account of his claim(s) solely against insurance policies and/or proceeds of insurance policies of the Debtor and/or any other insurance policies and/or proceeds of

<sup>1</sup> The Debtors include Energy Partners, Ltd., EPL Pipeline, L.L.C., Nighthawk, L.L.C., EPL of Louisiana, L.L.C., Delaware EPL of Texas, LLC, and EPL Pioneer Houston, Inc.

<sup>2</sup> Capitalized terms not defined here have the meaning assigned to them in the Motion.

insurance policies issued to any other entity available to the Debtor that may provide coverage for the claims asserted by Movants in the Suit. It is further

**ORDERED** that, in addition to the limitations contained in the preceding paragraphs, nothing contained in this Order shall be deemed to modify or otherwise alter the automatic stay to permit the incurrence by the Debtors' estates of: (a) adverse judgments that are not be covered by insurance policies or the proceeds thereof, (b) attorneys' fees or other litigation costs relating to the Suit not approved by the Debtors. It is further

**ORDERED** that all claims held by Movant against the Debtors that are related to and arising from the Suit that are not paid from applicable insurance proceeds are hereby waived and Movants shall have no such claims against the Debtors' estates. It is further

**ORDERED** that this Court shall retain jurisdiction over any matter concerning, or in any way related to, the Motion, this Order, or the relief granted herein.

Dated: Aug. 12, 2009



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**THE HONORABLE JEFF BOHM,  
UNITED STATES BANKRUPTCY JUDGE**

**AGREED AS TO FORM AND SUBSTANCE:**

**HOHMANN, TAUBLE & SUMMERS, L.L.P.**

/s/ Eric J. Taube

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**ATTORNEYS FOR THE DEBTORS**